



Policy Notes

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BOARDS

A PUBLICATION OF THE MONTANA SCHOOL

ASSOCIATION POLICY SERVICES – JOE BROTT, DIRECTOR

This edition of *Policy Notes* provides an explanation of the changes to mandatory, recommended, and optional policies contained in the *MTSBA Master Policy Manual*. A summary of the changes to affected policies is listed below.

Revised Policies

I have been involved with the Tobacco Free Schools Excellence Initiative Workgroup, through OPI, this past year. In working with them MTSBA has made a number of changes to various policies regarding tobacco and nicotine use. Montana is one of three states chosen as a pilot state to work on tobacco prevention in schools. Much of this work is in conjunction with the National School Boards Association. Our workgroup has kept them apprised of our recommended policy changes and they have made positive comments on our proactive stance. As many of you may know, tobacco companies are coming out with new products to entice school age students to use tobacco. Most of the changes in these policies reflect those areas of concern.

BP 2140. Guidance and Counseling. Number 9 has been added to this policy to reference where information and referrals to services can be accessed within the district. It was felt that the counseling department is the best place as most information is usually obtained from the counseling offices.

BP 3221. Student Publications, On line 16, the word “nicotine” has been added as one more item

that may not be advertised in any student publications.

BP 4330F. Facilities Use Agreement. The addition of “nicotine products” has been added to number 1 as products that cannot be sold or consumed on school district property by individuals, groups, or organizations that lease school district facilities.

BP 4330P. Rules and Regulations for Building Use. The first sentence in number 9 has been deleted and in its place was inserted “tobacco or nicotine products” as products that cannot be used or sold in or about school buildings. It was felt that “smoking” did not cover all of the ways tobacco or nicotine products can be used. Inserting the phrase “tobacco or nicotine products” covered the basis.

BP 4331. Use of School Property for Posting Notices. Letter F was added to clarify that any posting or distribution of materials or information promoting drugs, alcohol, tobacco, firearms, or any other products that may be of a concern to individual communities will be prohibited.

BP 4332. Conduct on School Property. “Nicotine” was inserted in number 4 of this policy.

BP 8225. Tobacco Free Policy. The phrase

“nicotine and any other tobacco innovation” was added in the first paragraph to make sure school districts are covered for any new types of tobacco products coming on the market. The Montana Clean Indoor Air Act states that the use of tobacco products in a classroom or on other school property is acceptable for use in connection with Native American cultural activities. We did not have that in the policy and felt it should be added given the fact it is clearly stated in the Clean Indoor Air Act. We also replace “buses” with “vehicles” in the second bullet for clarification that use of tobacco is prohibited in all district owned vehicles and not just buses.

BP 1401. Records Available to Public. The second paragraph in this policy was added to clarify the process an individual must follow when requesting public information that is in electronic format. I also added the legal reference a district should follow when a request has been submitted.

BP 3110. Entrance, Placement, and Transfer. We have been receiving a fair number of calls regarding the education of students 19 years of age or older. Language in the last sentence of the first paragraph in our current policy was a bit confusing regarding the “waiving to this usual practice”. After doing further research in 20-5-101, MCA, the first paragraph was revised to conform to the language in the statute.

BP 7530. Procurement of Supplies or Services. This is basically a “clean-up” language procedure to clarify the competitive sealed bidding and sole source procurement contract award.

BP 8123. Driver Training and Responsibility. Actually, I had this policy revised prior to the recent email sent out regarding bus driver cell phone use. Although the banning of cell phone use while driving is not a state law (yet), many school districts are beginning to add language in policy or develop new policy on this matter. The new language (paragraph 3) is model language. The language includes hands-free devices (meaning blue tooth). I have already had questions in regards to two-way radios. I believe the use of two-way radios is more common sense, but a school district can add language which includes the use of two-way radios. An example could be: two-way radios are only to be used for communication between the bus garage/school district office and the bus driver.

Two-way radios are not to be used by bus drivers to visit with each other while on the route, nor should they be used to deliver messages from students on one bus to students on another bus.

Maxine Mougeot also asked that I include the “passenger “P”” endorsement.

New Policies

BP 5630. Employee Use of Cellular Phones and Other Electronic Devices. This is a new policy, with model language, school districts can use for an employee cell phone policy. As you can tell by reading this model policy, language may need to be deleted depending on if your district supplies cell phones or not. Individual districts may also want to alter the language in the last section. Even though this is an optional policy, it is strongly encouraged that districts develop an employee cell phone policy.

Point of Policy

Those districts that have a maintenance agreement with MTSBA will be receiving these policies as updates (conforming to their original policy) very shortly.

Other districts can obtain a clean copy of the revised policies from the policy section on our website, under Policy Notes.

BE SURE TO LOG ON TO OUR WEBSITE AND LOOK AT THE UPCOMING BUDGET WORKSHOPS BOB AND I WILL BE CONDUCTING IN MARCH.

IS THERE ANY TOPIC YOU WOULD LIKE TO SEE ADDRESSED IN FUTURE EDITIONS OF Policy Notes? IF YOU HAVE A TOPIC OF INTEREST, PLEASE CALL OR EMAIL JOE BROTT AT MTSBA. Policy Notes WILL ATTEMPT TO COVER AS MANY REQUESTED TOPICS AS POSSIBLE.

If you haven't been on our website lately, www.mstba.org, take a peak. Daily articles regarding educational issues state-wide and nationally are posted. Let us know if our website is becoming more user friendly.

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